

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TENASKA III, TENASKA III
PARTNERS, and TENASKA PARIS,

Plaintiffs,

V.

TTP, TEXAS PARIS COGEN, and
DPC POWER,

Defendants.

8:06CV257

AMENDED ORDER OF DISMISSAL

The matter before the court is the parties' joint motion to dismiss this case with prejudice, Filing No. 22. The court finds that this matter should be dismissed with prejudice.

IT IS THEREFORE ORDERED that, pursuant to Fed. R. Civ. P. 41(a)(1) and (c), the plaintiffs' cause of action against the defendants and defendants' counterclaim against plaintiffs are hereby dismissed in their entirety, with prejudice, and with the parties to be responsible for their own costs and attorney fees.

DATED this 25th day of September, 2006.

BY THE COURT:

s/ Joseph F. Bataillon

JOSEPH F. BATAILLON

United States District Judge